

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA)	8:11MJ178 (D. Nebr.)
)	S2:09CR911 (S. D. NY)
Plaintiff,)	
)	
v.)	
)	
FRANCISCO RUBEN MONTOYA-IBARRA)	
Defendant.)	Magistrate Judge Thalken

RULE 5 ORDER

A Superseding Indictment having been filed in the district court for the Southern District of New York charging the above-named defendant with 21:841(a)(1) Conspiracy to Distribute and Possess with the Intent to Distribute Cocaine and the defendant having been arrested in the District of Nebraska, proceedings to commit defendant to another district were held in accordance with Fed.R.Cr.P.5. The defendant had an initial appearance here in accordance with Fed.R.Cr.P.5 and was informed of the provisions of Fed.R.Cr.P.20. Additionally, defendant

- (X) Was given an identity hearing and found to be the person named in the aforementioned charging document
- (X) The government moved for detention.
- (X) Was given a detention hearing in this district.

Accordingly, it is ordered that the defendant is held to answer in the charging district.

- (X) Defendant has been unable to obtain release under the Bail Reform Act of 1984, 18 U.S.C. § 3141 et.seq. and the U.S. Marshal is commanded to take custody of the above named defendant and to transport the defendant with a certified copy of this order forthwith to the charging district specified above and there deliver the defendant to the U.S. Marshal for that district or to some other officer authorized to receive the defendant, all proceedings required by Fed.R.Cr.P.5 having been completed.

IT IS SO ORDERED.

DATED in Omaha, Nebraska this 19th day of August, 2011.

s/ Thomas D. Thalken
U.S. Magistrate Judge